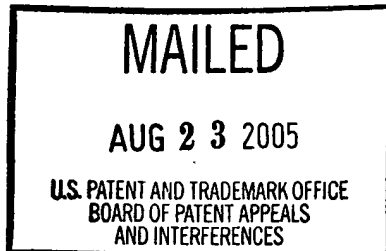


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte TASUYA ANMA

Appeal No. 2005-1600
Application No. 10/063,148

ON BRIEF

Before BLANKENSHIP, SAADAT, and MACDONALD, Administrative Patent Judges.
BLANKENSHIP, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the examiner's final rejection of claims 1-4, 7, and 8.

We affirm.

BACKGROUND

The invention is directed to a rotor for rotating electrical machines. Stiffening ribs and flow openings are provided in an intermediate portion of the rotor to increase stiffness and promote the flow of coolant across the rotor. Representative claim 1 is reproduced below.

1. A rotor for a rotating electrical machine comprised of a cylindrical portion carrying a plurality of spaced permanent magnets, a hub portion adapted to be affixed to a rotatable shaft, an interconnecting disk shaped portion for interconnecting said cylindrical portion and said hub portions, and a plurality of cooling openings formed in said interconnecting disk shaped portion, said cooling openings being defined by inclined leading edges in the direction of rotation of said rotor for promoting a cooling flow axially through said interconnecting disk shaped portion.

The examiner relies on the following reference:

Kanayama	4,510,409	Apr. 9, 1985
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Claims 1-4, 7, and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by Kanayama.

Claims 5, 6, and 11 have been indicated as allowable if rewritten in independent form. Claims 9 and 10 have been canceled.

We refer to the Final Rejection (mailed Jun. 4, 2003) and the Examiner's Answer (mailed Aug. 2, 2004) for a statement of the examiner's position and to the Brief (filed Jun. 18, 2004) for appellant's position with respect to the claims which stand rejected.

OPINION

Consistent with the rules effective at the time of appellant's filing of the Brief, we will consider claims separately only to the extent that separate arguments for patentability have been provided. See 37 CFR § 1.192(c)(7) (2003). See also In re McDaniel, 293 F.3d 1379, 1383, 63 USPQ2d 1462, 1465 (Fed. Cir. 2002) ("If the brief fails to meet either requirement [of 37 CFR § 1.192(c)(7)], the Board is free to select a single claim from each group of claims subject to a common ground of rejection as representative of all claims in that group and to decide the appeal of that rejection based solely on the selected representative claim.").

The examiner finds instant claim 1 to be anticipated by Kanayama, reading the claimed elements on the structure shown in Figures 1, 11, and 14 of the reference. (Answer at 3.) We are mindful that claims are to be given their broadest reasonable interpretation during prosecution, and the scope of a claim cannot be narrowed by reading disclosed limitations into the claim. See In re Morris, 127 F.3d 1048, 1054, 44 USPQ2d 1023, 1027 (Fed. Cir. 1997); In re Zletz, 893 F.2d 319, 321, 13 USPQ2d

1320, 1322 (Fed. Cir. 1989); In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550 (CCPA 1969).

Appellant submits remarks in the Brief that allege benefits of the instant invention as compared to the structures described by Kanayama. The instant rejection is for anticipation, however. The law of anticipation does not require that a reference “teach” what an applicant’s disclosure teaches. Assuming that a reference is properly “prior art,” it is only necessary that the claims “read on” something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or “fully met” by it. Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983).

Appellant contends that Kanayama describes a “flat electric machine” whereby permanent magnets “are affixed to radially extending surfaces of what amounts to a flat, round plate.” (Brief at 3.) Appellant’s disclosed machine, in contrast, is a type whereby the magnets are secured to a cylindrical surface of an element that is fixed by means of a disk shaped portion to a hub for receiving a shaft. More pertinent to what is claimed, the reference, according to appellant, fails to show a “cylindrical portion.”

The examiner illustrates (Answer at 6) that the “cylindrical portion” of Kanayama is taken to be the outermost portion of rotor disk 8b as shown in cross-section in Figure 1, and in the front view of Figure 11. The “cylindrical portion” shown in Figure 1 of Kanayama may be compared with cylindrical section 33a of rotor 31 in instant Figure 7.

We agree with the examiner that Kanayama's cross-section of rotor disk 8b of Figure 1 may be fairly considered a "cylindrical portion." Moreover, even comparing disclosure to disclosure, the difference between cross-sectioned cylindrical portions appear to differ only in extent.

Claim 1 recites that the cylindrical portion carries a plurality of spaced permanent magnets. Magnets 9b, as shown in Figure 1 of Kanayama, are carried by the cylindrical portion of rotor 8b, as far as the claim requires. The magnets may be also carried, as appellant suggests, by radially extending surfaces of the rotor. However, claim 1 does not preclude the magnets being carried in part by structures in addition to the cylindrical portion of the rotor.

Since we are not persuaded of error in the examiner's finding of anticipation, we sustain the rejection of claim 1. Claims 2 and 3 fall with claim 1.

Appellant's argument with respect to claim 4 is based on the premise that the reference lacks the "cylindrical portion." We disagree with the premise, and sustain the rejection of claim 4.

Appellant's argument in defense of claims 7 and 8 consists of the allegation that Figures 11 and 12 of the reference clearly show no spokes. The examiner has indicated, at page 6 of the Answer, a "spoke" as shown in Figure 11 of the reference. We find that the portion of rotor disc 8b, as shown in Figure 11, between air inlet apertures 17 extending from the hub portion to the innermost aspects of magnets 9b

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sufficiently resemble spokes to be within the purview of the claims. We note, further, that spoke section 34b as shown in instant Figure 9 does not extend the entire distance from the hub to the “cylindrical portion” of the rotor.

We have considered all of appellant’s arguments in the Brief but are not persuaded of error in the examiner’s finding of anticipation with respect to any claim. We sustain the rejection of claims 1-4, 7, and 8 under 35 U.S.C. § 102 as being anticipated by Kanayama.

CONCLUSION

The rejection of claims 1-4, 7, and 8 under 35 U.S.C. § 102 is affirmed.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a). See 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

Howard B. Blankenship
HOWARD B. BLANKENSHIP

HOWARD B. BLANKENSHIP
Administrative Patent Judge

Mahmud D. Sadat

MAHSHID D. SAADAT
Administrative Patent Judge

W. E. B. DuBois

ALLEN R. MACDONALD
Administrative Patent Judge

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